

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>vs.</b>	)	<b>NO. 3:10-CR-110-M</b>
	)	
<b>ERLYNDON J. LO</b>	)	

**DETENTION ORDER**

Defendant is charged by indictment with transmitting in interstate commerce a communication that conveyed a threat to use physical force and deadly force against clients and employees of a women's reproductive health services clinic in violation of 18 U.S.C. § 875(c). At his initial appearance on the indictment on April 30, 2010, the Government moved to detain Defendant and for a continuance. Defendant also moved for a continuance, and the Court granted the motion and ordered Defendant detained temporarily.

On May 6, 2010, Defendant appeared in person and through counsel for a detention hearing. After considering the testimony of the Government's witness and the Defendant's witness, the argument of counsel, the pretrial services report and the factors listed in 18 U.S.C. § 3142(g), the Court finds that the Government has met its burden to establish by clear and convincing evidence that there is no condition or combination of conditions which will reasonably assure the safety of the community. *See* 18 U.S.C. § 3142(f)(2) (setting forth standard as clear and convincing evidence). In addition to the threat alleged in the indictment, an FBI agent testified regarding past threats of harm made by Defendant to others, including his stepmother and girlfriend. The agent also testified about Defendant's recent statements that various police departments and government armed forces are conspiring to hurt him. The government tendered portions of Defendant's journals or writings as evidence, and these

writings repeatedly referenced his feelings of rage. Defendant has previously been diagnosed with mental disorders and was hospitalized for treatment in 2001, but he has not taken his medication since 2002. His attorney stated prior to the hearing that he believed Defendant was incompetent, and Defendant did appear agitated during court proceedings and has made irrational statements to pretrial officers.

Given the nature and circumstances of the offense; the weight of the evidence against Defendant; the characteristics of the Defendant; and the nature and seriousness of the danger to any person or the community posed by Defendant's release, the Court finds that the Government has met its burdens of persuasion. Accordingly, the Government's motion for detention is **GRANTED**.

It is therefore ORDERED that Defendant be, and he is hereby, committed to the custody of the Attorney General and United States Marshal for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.

It is ORDERED that Defendant, while being so held, be afforded reasonable opportunity for private consultation with counsel.

It is further ORDERED that, on an Order of a Court of the United States or at the request of the attorney for the Government, the person in charge of the corrections facility in which Defendant is confined shall deliver Defendant to a United States Marshal for the purpose of an appearance in connection with court proceedings in the Northern District of Texas.

Signed this 7th day of May, 2010.

  
IRMA CARRILLO RAMIREZ  
UNITED STATES MAGISTRATE JUDGE